

SENATE BILL 821

A2

1r1827
CF HB 479

By: **Senators Brinkley and Young**

Introduced and read first time: February 9, 2011

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 18, 2011

Committee Report: Favorable

Senate action: Adopted

Read second time: March 18, 2011

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Winery Special Event Permits – Farmers’ Markets**

3 FOR the purpose of authorizing the issuance of a certain number of additional winery
4 special event permits to certain wineries for use in certain farmers’ markets in
5 Frederick County; prohibiting a holder of a permit from selling wine by the
6 glass; requiring that a certain individual who is certified by an alcohol
7 awareness program be present during the hours when wine may be sold; and
8 generally relating to farmers’ markets in Frederick County.

9 BY repealing and reenacting, with amendments,
10 Article 2B – Alcoholic Beverages
11 Section 2–101(u)(1)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2010 Supplement)

14 BY adding to
15 Article 2B – Alcoholic Beverages
16 Section 2–101(u)(9)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article 2B – Alcoholic Beverages**

2 2–101.

3 (u) (1) The Office of the Comptroller may issue a winery special event
4 permit to a licensed Class 4 Maryland limited winery, provided that:

5 (i) Except as provided in paragraphs (6), (7), [and] (8), AND (9)
6 of this subsection, no more than 12 winery special event permits are issued to the
7 Class 4 Maryland limited winery in any given calendar year;

8 (ii) The permit does not exceed 3 consecutive days; and

9 (iii) Except as provided in paragraphs (6), (7), [and] (8), AND (9)
10 of this subsection, no more than three winery special event permits are issued in any
11 calendar year to any given limited winery for use in the same political subdivision.

12 **(9) (I) IN ADDITION TO THE WINERY SPECIAL EVENT PERMITS**
13 **THAT MAY BE ISSUED UNDER PARAGRAPH (1)(I) AND (III) OF THIS SUBSECTION,**
14 **A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN 12**
15 **WINERY SPECIAL EVENT PERMITS FOR USE AT FARMERS’ MARKETS IN**
16 **FREDERICK COUNTY THAT ARE LISTED ON THE FARMERS’ MARKET**
17 **DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.**

18 **(II) IF A WINERY SPECIAL EVENT PERMIT IS ISSUED UNDER**
19 **THIS PARAGRAPH:**

20 **1. THE HOLDER OF THE PERMIT MAY NOT SELL WINE**
21 **BY THE GLASS; AND**

22 **2. THE FARMERS’ MARKET ADMINISTRATOR OR THE**
23 **ADMINISTRATOR’S DESIGNEE AND THE HOLDER OF THE PERMIT OR THE**
24 **HOLDER’S DESIGNEE SHALL BE:**

25 **A. CERTIFIED BY AN ALCOHOL AWARENESS**
26 **PROGRAM APPROVED BY THE COMPTROLLER; AND**

27 **B. PRESENT DURING THE HOURS WHEN WINE MAY**
28 **BE SOLD.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 2011.